

UNITED STATES DISTRICT COURT
1st. Circuit (Massachusetts)

ERIC KELLEY

04-11192 RCL

V.

MOTION FOR A ORDER
INJUNCTIVE RELIEF
CONCERNING FEDERAL
MAIL VIOLATIONS.

SHERIFF DIPOLA

Now Comes, the plaintiff and asks that
this Honorable court ORDER an INJUNCTIO FOR THE DEFT(s)
NOT TO OPEN FEDERAL. LEGAL MAIL OUTSIDE HIS PRESENCE,
or any legal mail outside his presence.

Attached is a letter and exhibit(s).
This has been a on-going violation and resulted in a
amended complaint.

Respectfully:

Eric Kelley
Eric Kelley

CERTIFICATE OF SERVICE

I sent a copy of this motion by
regular mail to Atty. garrannara
for the defendants on; 1/16/05
by regular mail Bounds V. Smith
I/co/ the Legal Dept.

Eric Kelley

To: GRIEVANCE OFFICER
POSTMASTER GENERAL
U.S.D.C. PROTECTIVE ORDER MOTION ✓
ATTORNEY GARRANNARA (SHERIFFS DEPT. LEGAL DIV.)

From: Eric Kelley (Pro Se)

RE: CONTINUED, UNCONSTITUTIONAL OPENING OF
PRIVELEDGED LEGAL MAIL.

January 16th. 2005

On January 12th. 2005 my legal mail from the United States District Court was opened outside of my presence (AGAIN). The mail contained; summons, a copy of a civil complaint verse the Sheriff, U.S. Marshall forms, amended complaint and other documents.

The aforementioned documentation was opened w/o my knowledge and **reviewed** rather than being given to me. It was sent to Records (the Redcords Dept.) is the jails center of communication). On the very next day, C/o Sanborn placed my U.S. District Court mail in the regular mail process (after opening it outside my presence).

This issue is a crucial assertion in my lawsuit pending in the U.S. District Court.

THIS LETTER IS A FORMAL COMPLAINT.

Truthfully;

Eric Kelley

Middlesex Sheriff's Office

Inmate Grievance Form

Name: Eric Kelley

Housing: C-10

Date Grievance is Submitted: 1/16/05

Date of Specific Incident (if any): 1/12/05

Is this grievance of an emergency nature?

Circle One: YES NO

Please state grievance or complaint:

My legal mail continues to be opened outside of my presence,

This practice is violating Federal mailing policies and

I have sought every remedy to address it to no avail.

Attached please find (facts).

The worst, intrusive violation was on 1/12/05.

Please state requested remedy:

\$500.00. (Five Hundred Dollars) and a mailroom ORDER about

identifiying inmate legal mail.

Signature: _____

(Use reverse side if needed)

Inmate Receipt for Grievance Form

Inmate's Name: _____ Housing: _____

Date and Time Received: _____

Signature and Title of Employee receiving Grievance Form:
